

AIR QUALITY PERMIT

Issued To: Schellinger Construction Company, Inc.
P.O. Box 39
Columbia Falls, MT 59912

Permit #2623-16
Administrative Amendment Request Received: 04/15/03
Administrative Amendment Issued: 05/20/03
Permit Final: 06/05/03
AFS Number: 777-2623

An air quality permit, with conditions, is hereby granted to Schellinger Construction Co., Inc. (Schellinger), pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

- A. Schellinger operates a portable crushing/screening plant at various locations throughout Montana. Permit #2623-16 applies while operating in any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* A list of the permitted equipment is contained in Section I.A of the permit analysis.
- B. Current Permit Action

On April 15, 2003, Schellinger submitted a complete permit application to remove the 1967 Cedarapids jaw crusher and associated 3-deck screen from the list of permitted equipment. Additionally, Schellinger's addendum was updated to reflect the permitted equipment. Schellinger will be allowed to operate at eight different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Addendum 16 to Permit #2623-16 to determine a production limit that would be protective of the nonattainment areas.

Section II: Limitations and Conditions

A. Operational

1. All visible emissions from the 1997 Nordberg cone crusher, 1995 EL-Jay cone crusher, and 1985 EL-Jay cone crusher may not exhibit opacity of 15% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart 000).
2. Schellinger shall not cause or authorize to be discharged into the atmosphere from the 1995 El-Jay 3-deck screen and any other any affected equipment, used in conjunction with this facility and manufactured after August 31, 1983, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart 000).
3. Schellinger shall not cause or authorize to be discharged into the atmosphere from any other associated equipment, such as screens or transfer points, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
4. Schellinger shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

5. Schellinger shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.752).
6. Water shall be available and used, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).
7. Plant production is limited to 3,504,000 tons during any rolling 12-month time period (ARM 17.8.749).
8. Operations of the 1000 KW diesel generator shall not exceed 6,180 hours during any rolling 12-month time period (ARM 17.8.749).
9. If the permitted equipment is used in conjunction with any other equipment owned or operated by Schellinger, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).

B. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).
2. Schellinger shall supply the Department with annual production information for all emission points, as required by the Department in the annual emissions inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in units, as required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Schellinger shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745(1), that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emissions unit.

The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).

4. Schellinger shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Schellinger as a permanent business record for at least 5 years following the date of the measurement, shall be available at the plant site for inspection by

- the Department, and shall be submitted to the Department upon request (ARM 17.8.749).
5. Schellinger shall document, by month, the total plant production. By the 25th day of each month, Schellinger shall total the plant production during the previous 12 months to verify compliance with the limitation in Section II.A.7. A written report of the compliance verification shall be submitted along with the annual emission inventory (ARM 17.8.749).
 6. Schellinger shall document, by month, the hours of operation from the 1000 KW diesel generator. By the 25th day of each month, Schellinger shall total the hours of operation of the generator during the previous 12 months to verify compliance with the limitation in Section II.A.8. A written report of the compliance verification shall be submitted along with the annual emission inventory (ARM 17.8.749).
 7. Schellinger shall annually certify that its emissions are less than those that would require the facility to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted with the annual emissions inventory information (ARM 17.8.1204).

Section III: Addendum

Schellinger shall comply with all conditions in Addendum 16 to this permit, as appropriate (ARM 17.8.749).

Section IV: General Conditions

- A. Inspection - Schellinger shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Schellinger fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Schellinger of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement, as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing postpones the effective date of the Department's decision until the conclusion of the hearing and issuance of a final decision by the Board. The Department's decision on the application is not final unless 15 days have elapsed and there is no request for a hearing under this section.
- F. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.

- G. Construction Commencement - Construction must begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay by Schellinger of an annual operation fee may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Schellinger shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS
Schellinger Construction Company, Inc.
Permit Number 2623-16

I. Introduction/Process Description

A. Permitted Equipment

Schellinger Construction Company, Inc. (Schellinger), operates a portable 1990 diesel generator (1000 KW), a 1997 Nordberg cone crusher (maximum capacity 400 TPH), a 1995 EL-Jay cone crusher (maximum capacity 200 TPH) with an attached 1995 EL-Jay 3-deck screen (maximum capacity 200 TPH), a 1985 EL-Jay cone crusher (maximum capacity 100 TPH), a 1979 Pioneer 3-deck screen (maximum capacity 400 TPH), and associated equipment.

B. Process Description

A crushing/screening plant is used to crush and sort sand and gravel. For a typical operational setup, the raw materials are loaded into a hopper and conveyed onto the crushing/screening plant. Materials are crushed by the crushers, screened and sorted by the screens, and conveyed onto stockpile for sale and use, generally for construction operations.

C. Permit History

On March 20, 1990, Permit #**2623-00** was issued to Schellinger to operate a 1976 Pioneer 50 VE portable duplex gravel crusher, and associated equipment.

On May 12, 1993, Permit #2623-01, with **Addendum 1**, was issued to Schellinger because the crushing plant moved to within approximately 2 kilometers of the Kalispell PM₁₀ nonattainment area. Addendum 1 expired on September 30, 1993.

On March 17, 1994, Permit #**2623-02**, with **Addendum 2**, was issued to Schellinger to allow year round operation of the crushing plant in Sections 4, 5, and 9 of Township 27 North, Range 21 West, Flathead County, Montana. This location was approximately 1.5 kilometers from the Kalispell PM₁₀ nonattainment area.

On April 13, 1994, Permit #**2623-03**, with **Addendum 3**, was issued to Schellinger to allow the crushing plant to operate at the NW¹/₄ of the NW¹/₄ of Section 31, Township 29 North, Range 21 West (NUPAC Pit) and at the NW¹/₄ of the NW¹/₄ of Section 22, Township 29 North, Range 21 West (A-1 Paving's Pit) in Flathead County, Montana, during the winter months (October 1 through March 31). The NUPAC Pit is approximately 6.0 kilometers from the Kalispell PM₁₀ nonattainment area and A-1 Paving's Pit is approximately 2.25 kilometers from the Kalispell PM₁₀ nonattainment area. Addendum 3 expired on September 30, 1995.

On August 7, 1995, Schellinger requested that Permit #2623-03 be modified to allow the crushing plant to continue operation within 10 kilometers of the Kalispell PM₁₀ nonattainment area, during the winter months (October 1 through March 31). Modeling was originally completed for Permit #2623-03 to show that Schellinger would be able to operate at A-1 Paving's pit and the NUPAC pit without adversely impacting the Kalispell PM₁₀ nonattainment area. The conditions and reporting requirements stated in Addendum 3 of Permit #2623-03 were reviewed and the Department of Environmental Quality (Department) determined the conditions and reporting requirements were still acceptable and would be re-issued in Permit #**2623-04** and **Addendum 4**.

On February 22, 1996, Schellinger requested that Permit #2623-04 be modified to allow the crushing plant to operate at two locations: the NE¼ of the NW¼ of Section 14, Township 21 North, Range 29 West, in Sanders County and the NE¼ of the SW¼ of Section 23, Township 30 North, Range 21 West, in Flathead County. These locations are within 10 kilometers of the Thompson Falls, Columbia Falls, and Kalispell PM₁₀ nonattainment areas. Schellinger requested to operate at these locations during the summer and winter months (January 1 through December 31). It was determined that the conditions contained in Permit #2623-04 must be modified, per General Condition I of Permit #2623-04, and controls implemented to limit the impacts of the portable crusher's emissions on the nonattainment areas. The new conditions and reporting requirements were stated in **Addendum 5** of Permit **#2623-05**.

On May 18, 1996, Permit **#2623-06** was issued to Schellinger to allow the facility to operate at any location within 10 kilometers of any PM₁₀ nonattainment area during the summer months (April 1 through September 30). **Addendum 6** of Permit #2623-06 expired September 30, 1996.

On September 28, 1996, Permit **#2623-07** was issued to Schellinger Construction to allow the operation of their facility at two locations within the Kalispell PM₁₀ nonattainment area during the winter months (October 1 through March 31) and within 10 kilometers of any PM₁₀ nonattainment area during the summer months (April 1 through September 30). The winter locations were at the NW¼ of the NW¼ of Section 31, Township 29 North, Range 21 West (NUPAC Pit) and at the NW¼ of the NW¼ of Section 22, Township 29 North, Range 21 West (A-1 Paving Pit). The new conditions and reporting requirements were stated in **Addendum 7** of Permit #2623-07.

On September 22, 1997, Schellinger requested that Permit #2623-07 be modified to allow the permitted facility to operate in the NUPAC Pit, A-1 Paving Pit, and the Carlson Pit (the North ½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana) through the summer and winter months. The Department determined that this facility would not cause or contribute to a violation of any ambient standards by conducting a SCREENVIEW Model. The conditions and reporting requirements for operation at these, and other locations within 10 kilometers of a PM₁₀ nonattainment area, are stated in **Addendum 8** to Permit **#2623-08**.

On November 12, 1997, Schellinger requested a modification of Permit #2623-08 to allow the facility to operate at an additional location within 10 kilometers of the Kalispell PM₁₀ nonattainment area through September 30, 1998, and in or within any PM₁₀ nonattainment area from April 1, 1998, to September 30, 1998. The additional wintertime location is at the NE¼ of the SW¼ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit), Flathead County. Permit **#2623-09** and **Addendum 9** replaced Permit #2623-08 and Addendum 8.

On December 17, 1997, Schellinger requested a modification of Permit #2623-09 to combine Permits #2623-08 and #2623-09 to allow the facility to operate at four separate locations within 10 kilometers of the Kalispell PM₁₀ nonattainment area through September 30, 1998, and in or within 10 kilometers of any PM₁₀ nonattainment area from April 1, 1998, to September 30, 1998. The wintertime locations are: the NE¼ of the SW¼ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit); the NW¼ of the NW¼ of Section 31, Township 29 North, Range 21 West (NUPAC Pit); the NW¼ of the NW¼ of Section 22, Township 29 North, Range 21 West (A-1 Paving Pit); and the North ½ of Section 21, Township 30 North, Range 21 West (Carlson Pit), Flathead County. Permit **#2623-10** combined Permit #2623-09 and Permit #2623-08 and **Addendum 10** replaced Addendum 9.

On December 19, 1998, Schellinger was issued Permit **#2623-11** and **Addendum 11** to allow the facility to operate at seven different locations in or within 10 kilometers of the Kalispell PM₁₀

nonattainment area during the winter months. In addition, Permit #2623-11 allowed operation in or within 10 kilometers of the following PM₁₀ nonattainment areas from April 1, 1999, to September 30, 1999; Libby, Kalispell, Columbia Falls, Whitefish, Thompson Falls, Missoula, and Butte.

On November 4, 1999, Schellinger requested a modification of Permit #2623-11 to allow the facility to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months (October 1, 1999, through March 31, 2000).

Additional restrictions were placed in **Addendum 12** to be protective of the air quality in and within 10 kilometers of the Kalispell PM₁₀ nonattainment area. SCREENVIEW air dispersion modeling was conducted for the proposed operation in order to determine a production limit that would be protective of the nonattainment area. Only one SCREENVIEW model was run to account for the seven proposed winter months operating locations. However, worst case modeling results were used to determine a production limit that would be protective of existing air quality in or within 10 km of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas, regardless of the chosen operating site location. Permit **#2623-12** replaced Permit #2623-11 and Addendum 12 replaced Addendum 11.

On August 2, 2000, Schellinger requested a renewal of the addendum in Permit #2623-12 to allow the facility to continue operation at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months (October 1 through March 31).

The addendum contained restrictions to protect the air quality in and within 10 kilometers of the Kalispell, Whitefish and Columbia Falls PM₁₀ nonattainment areas. SCREENVIEW air dispersion modeling was conducted for Permit #2623-12 to determine a production limit that would protect the nonattainment areas. One SCREENVIEW model was run to account for the seven winter-month operating locations. However, worst case modeling results were used to determine a production limit that would protect existing air quality in or within 10 km of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas, regardless of the chosen operating site location. Based on Schellinger's request, the Department determined that the modeling performed for Permit #2623-11 was still valid. The decisions in this permit are based on that modeling. For additional operational flexibility, the Department added language that allows operation at any location within 10 kilometers of any PM₁₀ nonattainment area during the summer months. This same language was used in Permit #2623-11. Permit **#2623-13** replaced Permit #2623-12 and **Addendum 13** replaced Addendum 12.

On May 8, 2002, Schellinger was issued a permit to replace a portable 1976 Pioneer 50 VE duplex gravel crusher with a portable 1997 Nordberg cone crusher, a 1995 El-Jay cone crusher, a 1985 EL-Jay cone crusher, a 1967 Cedar Rapids jaw crusher, a 1979 Pioneer 3-deck screen, a 1990 diesel generator (1000 KW), and associated equipment. Additionally, Schellinger requested to renew their addendum to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Permit #2623-14 to determine a production limit that would be protective of the nonattainment areas. Worst case modeling results were used to determine a production limit that would be protective of the existing air quality in the winter locations, regardless of the chosen operating site location. Permit **#2623-14** replaced Permit #2623-13 and **Addendum 14** replaced Addendum 13.

On August 9, 2002, Schellinger was issued a permit to add a 1995 EL-Jay 3-deck screen and a 1967 Cedarapids 3-deck screen to the list of permitted equipment. Additionally, Schellinger requested to update their addendum, to incorporate their new equipment, and again be allowed to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Permit #2623-15 to determine a production limit that would be protective of the nonattainment areas. Worst-case modeling results were used to determine a production limit that would protect existing air quality in or within 10 km of the PM₁₀ nonattainment areas. The decisions in the updated addendum are based on that modeling. Permit **#2623-15** replaced Permit #2623-14 and **Addendum 15** replaced Addendum 14.

D. Current Permit Action

On April 15, 2003, Schellinger submitted a complete permit application to remove the 1967 Cedarapids jaw crusher and associated 3-deck screen from the list of permitted equipment. Additionally, Schellinger's addendum was updated to reflect the permitted equipment. Schellinger will be allowed to operate at eight different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Permit #2623-16 to determine a production limit that would be protective of the nonattainment areas. Permit **#2623-16** will replace Permit #2623-15 and **Addendum 16** replaced Addendum 15.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the permit analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment, including instruments and sensing devices and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Schellinger shall comply with all requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

B. ARM 17.8, Subchapter 2, Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Schellinger must comply with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged to an outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Schellinger shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this rule.
4. ARM 17.8.310 Particulate Matter, Industrial Processes. This rule requires that no person shall cause or allow to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this rule.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this

rule.

7. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, NSPS, shall comply with the standards and provisions of 40 CFR Part 60.

In order for a crushing/screening plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing/screening plant must meet the definition of an affected facility and, second, the equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information submitted by Schellinger, the 1997 Nordberg cone crusher, 1995 El-Jay cone crusher with an attached 1995 EL-Jay 3-deck screen, 1985 EL-Jaw cone crusher, are NSPS (40 CFR Part 60, Subpart A General Provisions, and Subpart OOO Non-Metallic Mineral Processing Plants) affected sources.

- D. ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. Schellinger shall submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Schellinger was not required to submit a permit application fee for the current permitting action, an administrative amendment
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which pro-rate the required fee amount.

- E. ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter, or use any asphalt plant, crusher, or screen that has the potential to emit greater than 15 tons per year of any pollutant. Schellinger has the potential to emit more than 15 tons per year of total particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀), oxides of nitrogen (NO_x), and carbon monoxide (CO); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit Program.

4. ARM 17.8.745 Montana Air Quality Permits—Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that are not subject to the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. This rule requires that a permit application be submitted prior to installation, alteration, or use of a source. Schellinger was not required to submit a permit application for the current permit action because the change is considered administrative.
6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. A BACT determination was not required for the current permit action because there are no new or altered sources permitted as a part of this action.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Schellinger of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer, including a Transfer of Location notice and an affidavit of publication from a newspaper of general circulation in the area to be affected. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8, Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act (FCAA) that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source because it is not listed and does not have the potential to emit more than 250 tons per year (excluding fugitive emissions) of any air pollutant. Therefore, the New Source Review (NSR) program does not apply.

G. ARM 17.8, Subchapter 12, Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. Potential to Emit (PTE) > 100 ton/year of any pollutant.
 - b. PTE > 10 ton/year of any one Hazardous Air Pollutant (HAP), PTE > 25 ton/year of a combination of all HAPs, or a lesser quantity as the Department may establish by rule.
 - c. Sources with the PTE > 70 ton/year of PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #2623-16 for Schellinger, the following conclusions were made:
 - a. The facility's PTE is less than 100 ton/year for all criteria pollutants.
 - b. The facility's PTE is less than 10 ton/year of any one HAP and less than 25 ton/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is not subject to any current NESHAP standards.
 - e. This facility is an NSPS affected source (40 CFR 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).
 - f. This source is not a Title IV affected source nor a solid waste combustion unit.

- g. This source is not an EPA designated Title V source.

Schellinger is not subject to Title V Operating Permit requirements because their potential emissions are less than the Title V threshold. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit in the future, Schellinger will be required to obtain an Operating Permit.

- h. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations, which limit that source's potential to emit.
- i. In applying for an exemption under this section, the owner or operator of the source shall certify to the Department that the source's potential to emit does not require the source to obtain an air quality operating permit.
- ii. Any source that obtains a federally enforceable limit on potential to emit shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

The Department has determined that the annual reporting requirements contained in the permit are sufficient to satisfy this requirement.

3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal required by ARM 17.8.1204(3) shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this subchapter shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

III. Emission Inventory

Source	Ton/Year					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1997 Nordberg Cone Crusher (400 TPH)	2.90	1.39				
1995 EL-Jay Cone Crusher (200 TPH)	2.90	1.39				
1985 EL-Jay Cone Crusher (100 TPH)	2.90	1.39				
1979 Pioneer Screen (400 TPH)	18.28	8.71				
1995 EL-Jay 3-Deck Screen (200 TPH)	18.28	8.71				
Material Transfer	23.56	11.37				
Pile Forming	19.50	9.29				
Bulk Loading	4.87	2.32				
Diesel Generator (1000 KW)	2.90	2.90	99.45	2.65	22.79	8.37
Haul Roads	2.74	1.23				
Total	98.83	48.70	99.45	2.65	22.79	8.37

- A complete emissions inventory for Permit #2623-16 is on file with the Department.

IV. BACT Analysis

A BACT determination is required for each new or altered source. Schellinger shall install on the new or altered source the maximum air pollution control capability, which is technically practicable and economically feasible, except that BACT shall be utilized. A BACT analysis was not required for this permit action because the change to the permit reflects an administrative amendment with no new sources or physical alterations to existing sources being permitted at this time.

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀). Due to exceedances of the national standards for PM₁₀, various cities in Montana have been designated by EPA as nonattainment for PM₁₀. As a result of this designation, the EPA required the Department of Environmental Quality and the appropriate county health Department to submit PM₁₀ State Implementation Plans (SIP) in November 1991. The SIPs consist of an emission control plan that controls fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM₁₀ emissions.

This addendum is for a portable crushing/screening facility to locate at locations in or within 10 km of certain PM₁₀ nonattainment areas. The stringent operating conditions in the addendum will minimize any potential impact on the nonattainment area and protect the national ambient air quality standards.

VI. Ambient Air Quality Impact Analysis

In view of the Department, the amount of controlled emissions generated by this facility will not cause an exceedance to any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal.

VII. Air Quality Impacts

Permit #2623-16 will cover the operations of a portable crushing/screening plant to be located at various locations throughout Montana. Addendum 16 to Permit #2623-16 sets conditions and limitations that will allow for this portable crushing/screening plant to operate within certain PM₁₀ nonattainment areas during the summer months (April 1 through September 30) and at specified sites within certain nonattainment areas (October 1 through March 31) during the winter months. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any set ambient air quality standard. In addition, this source is portable and any air quality impacts will be minimal.

Addendum 16
Schellinger Construction Company, Inc.
Permit #2623-16

An addendum to air quality Permit #2623-16 is issued to Schellinger Construction Company, Inc. (Schellinger), pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.734, as amended, for the following:

I. Permitted Equipment

On April 15, 2003, Schellinger applied for Addendum 16 to Permit #2623-16 for the operation of a portable crushing/screening facility in or within 10 km of the following PM₁₀ nonattainment areas: Libby, Thompson Falls, Kalispell, Whitefish, Columbia Falls, and Butte.

II. Seasonal and Site Restrictions

Addendum 16 applies to the Schellinger facility while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) - The only location(s) in or within 10 km of a PM₁₀ nonattainment area where Schellinger may operate is: the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit); the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 29 North, Range 22 West (Tutvedt Pit); the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 29 North, Range 21 West (NUPAC Pit); the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 29 North, Range 21 West (A-1 Paving Pit); the N $\frac{1}{2}$ of Section 21, Township 30 North, Range 21 West (Carlson Pit); the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 31, Township 31 North, Range 22 West (Peschel Pit); and NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Township 27 North, Range 21 West (Spoklie Pit); and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 30 North, Range 21 West, in Flathead County (Jellison Pit).
- B. During the summer season (April 1-September 30) – Schellinger may operate at any location in or within 10 kilometers certain PM₁₀ nonattainment areas, including, but not limited to: Libby, Thompson Falls, Kalispell, Whitefish, Columbia Falls, and Butte.
- C. Schellinger shall comply with the limitations and conditions contained in Addendum #16 to Permit #2623-16 while operating in or within 10 km of any of the previously listed PM₁₀ nonattainment areas. Addendum #16 shall be valid until revoked or modified. The Department of Environmental Quality (Department) reserves the authority to modify Addendum #16 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. LIMITATIONS AND CONDITIONS

A. Operational

- 1. Water spray bars must be available and operated on the crushers, screens, and all material transfer points whenever the equipment is in operation (ARM 17.8.749).
- 2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
- 3. Schellinger shall not cause or authorize to be discharged into the atmosphere from

any other equipment, such as screens or transfer points, any visible emissions that exhibit opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

4. Schellinger shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater (ARM 17.8.749).
5. Schellinger shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).
6. The combined crusher production (from the three cone crushers) is limited to 3,024 tons during any rolling 24-hour time period (ARM 17.8.749).
7. The combined screen production (from the two screens) is limited to 2,016 tons during any rolling 24-hour time period (ARM 17.8.749).
8. The hours of operation of the 1000 KW diesel generator shall not exceed 16 hours of operation during any rolling 24-hour period (ARM 17.8.749).

B. Reporting Requirements

1. Schellinger shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. Schellinger shall provide the Department with written notice of relocation of the permitted equipment within 15 working days of physical transfer of equipment (ARM 17.8.765).
3. Production information for the sites covered by this addendum must be submitted to the Department with the annual emissions inventory request or within 30 days of completion of the project. The information must include the following (ARM 17.8.749):
 - a) Tons of gravel crushed by each crusher at each site
 - b) Tons of material screened by each screen at each site
 - c) Tons of bulk gravel loaded at each site
 - d) Daily hours of operation at each site
 - e) Gallons of diesel used by the generator at each site
 - f) Fugitive dust information consisting of all plant vehicles, including the following:
 - i) Number of vehicles
 - ii) Vehicle type
 - iii) Vehicle weight, loaded
 - iv) Vehicle weight, unloaded
 - v) Number of tires on vehicle

- vi) Average trip length
 - vii) Number of trips per day per vehicle
 - viii) Average vehicle speed
 - ix) Area of activity
 - x) Vehicle fuel usage (gasoline and diesel) annual total
- g) Fugitive dust control for haul roads and general plant area:
- i) Hours of operation of water trucks; and
 - ii) Application schedule for chemical dust suppressant, if applicable.
4. Schellinger shall document, by day, the combined total crushing production. Schellinger shall sum the combined total crushing production during the previous 24 hours to verify compliance with the limitation in Section III.A.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).
5. Schellinger shall document, by day, the combined total screening production. Schellinger shall sum the combined total screening production during the previous 24 hours to verify compliance with the limitation in Section III.A.7. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Schellinger shall document, by day, the hours of operation of the diesel generator. Schellinger shall total the hours of operation of the diesel generator during the previous 24 hours to verify compliance with the limitation in Section III.A.8. A written report of compliance and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emissions inventory (ARM 17.8.749).

Addendum 16 Analysis
Schellinger Construction Company, Inc.
Permit #2623-16

I. Permitted Equipment

Schellinger Construction Company, Inc. (Schellinger) operates a portable 1990 diesel generator (1000 KW), a 1997 Nordberg cone crusher (maximum capacity 400 TPH) with an attached 1995 EL-Jay 3-deck screen (maximum capacity 200 TPH), a 1995 EL-Jay cone crusher (maximum capacity 200 TPH), a 1985 EL-Jaw cone crusher (maximum capacity 100 TPH), a 1979 Pioneer 3-deck screen (maximum capacity 400 TPH), and associated equipment.

II. Permit History

On March 20, 1990, Permit **#2623-00** was issued to Schellinger to operate a 1976 Pioneer 50 VE portable duplex gravel crusher, and associated equipment.

On May 12, 1993, Permit **#2623-01**, with **Addendum 1**, was issued to Schellinger because the crushing plant moved to within approximately 2 kilometers of the Kalispell PM₁₀ nonattainment area. Addendum 1 expired on September 30, 1993.

On March 17, 1994, Permit **#2623-02**, with **Addendum 2**, was issued to Schellinger to allow year round operation of the crushing plant in Sections 4, 5, and 9, Township 27 North, Range 21 West, Flathead County, Montana. This location was approximately 1.5 kilometers from the Kalispell PM₁₀ nonattainment area.

On April 13, 1994, Permit **#2623-03**, with **Addendum 3**, was issued to Schellinger to allow the crushing plant to operate at the NW¹/₄ of the NW¹/₄ of Section 31, Township 29 North, Range 21 West (NUPAC Pit) and at the NW¹/₄ of the NW¹/₄ of Section 22, Township 29 North, Range 21 West (A-1 Paving's Pit) in Flathead County, Montana, during the winter months (October 1 through March 31). The NUPAC Pit is approximately 6.0 kilometers from the Kalispell PM₁₀ nonattainment area and A-1 Paving's Pit is approximately 2.25 kilometers from the Kalispell PM₁₀ nonattainment area. Addendum 3 expired on September 30, 1995.

On August 7, 1995, Schellinger requested that Permit #2623-03 be modified to allow the crushing plant to continue operation within 10 kilometers of the Kalispell PM₁₀ nonattainment area, during the winter months (October 1 through March 31). Modeling was originally completed for Permit #2623-03 to show that Schellinger would be able to operate at A-1 Paving's pit and the NUPAC pit without adversely impacting the Kalispell PM₁₀ nonattainment area. The conditions and reporting requirements stated in Addendum 3 of Permit #2623-03 were reviewed and the Department determined the conditions and reporting requirements were still acceptable and were re-issued in Permit **#2623-04** and **Addendum 4**.

On February 22, 1996, Schellinger requested that Permit #2623-04 be modified to allow the crushing plant to operate at two locations: the NE¹/₄ of the NW¹/₄ of Section 14, Township 21 North, Range 29 West, in Sanders County and the NE¹/₄ of the SW¹/₄ of Section 23, Township 30 North, Range 21 West, in Flathead County. These locations are within 10 kilometers of the Thompson Falls, Columbia Falls, and Kalispell PM₁₀ nonattainment areas. Schellinger requested to operate at these locations during the summer and winter months (January 1 through December 31). It was determined that the conditions contained in Permit #2623-04 must be modified, per General Condition I of Permit #2623-04, and controls implemented to limit the impacts of the portable crusher's emissions on the nonattainment areas. The new conditions and reporting requirements were stated in **Addendum 5** of Permit **#2623-05**.

On May 18, 1996, Permit **#2623-06** was issued to Schellinger to allow the facility to operate at

any location within 10 kilometers of any PM₁₀ nonattainment area during the summer months (April 1 through September 30). **Addendum 6** of Permit #2623-06 expired September 30, 1996.

On September 28, 1996, Permit **#2623-07** was issued to Schellinger to allow the operation of their facility at two locations within the Kalispell PM₁₀ nonattainment area during the winter months (October 1 through March 31) and within 10 kilometers of any PM₁₀ nonattainment area during the summer months (April 1 through September 30). The winter locations were at the NW¹/₄ of the NW¹/₄ of Section 31, Township 29 North, Range 21 West (NUPAC Pit) and at the NW¹/₄ of the NW¹/₄ of Section 22, Township 29 North, Range 21 West (A-1 Paving Pit). The new conditions and reporting requirements were stated in **Addendum 7** of Permit #2623-07.

On September 22, 1997, Schellinger requested that Permit #2623-07 be modified to allow the permitted facility to operate in the NUPAC Pit, A-1 Paving Pit, and the Carlson Pit (the N¹/₂ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana) through the summer and winter months. The Department determined that this facility would not cause or contribute to a violation of any ambient standards by conducting a SCREENVIEW Model. The conditions and reporting requirements for operation at these, and other locations within 10 kilometers of a PM₁₀ nonattainment area, are stated in **Addendum 8** to Permit **#2623-08**.

On November 12, 1997, Schellinger requested a modification of Permit #2623-08 to allow the facility to operate at an additional location within 10 kilometers of the Kalispell PM₁₀ nonattainment area through September 30, 1998, and in or within any PM₁₀ nonattainment area from April 1, 1998, to September 30, 1998. The additional wintertime location is at the NE¹/₄ of the SW¹/₄ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit), Flathead County. Permit **#2623-09** replaced Permit #2623-08 and **Addendum 9** replaced Addendum 8.

On December 17, 1997, Schellinger requested a modification of Permit #2623-09 to combine Permits #2623-08 and #2623-09 to allow the facility to operate at four separate locations within 10 kilometers of the Kalispell PM₁₀ nonattainment area through September 30, 1998, and in or within 10 kilometers of any PM₁₀ nonattainment area from April 1, 1998, to September 30, 1998. The wintertime locations are: the NE¹/₄ of the SW¹/₄ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit); the NW¹/₄ of the NW¹/₄ of Section 31, Township 29 North, Range 21 West (NUPAC Pit); the NW¹/₄ of the NW¹/₄ of Section 22, Township 29 North, Range 21 West (A-1 Paving Pit); and the N¹/₂ of Section 21, Township 30 North, Range 21 West (Carlson Pit), Flathead County. Permit **#2623-10** combined Permit #2623-09 and Permit #2623-08 and **Addendum 10** replaced Addendum 9.

On December 19, 1998, Schellinger was issued Permit **#2623-11** and **Addendum 11** to allow the facility to operate at seven different locations in or within 10 kilometers of the Kalispell PM₁₀ nonattainment area during the winter months. In addition, Permit #2623-11 allowed operations in or within 10 kilometers of the following PM₁₀ nonattainment areas from April 1, 1999, to September 30, 1999: Libby, Kalispell, Columbia Falls, Whitefish, Thompson Falls, Missoula, and Butte.

On November 4, 1999, Schellinger requested a modification of Permit #2623-11 to allow the facility to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months (October 1, 1999, through March 31, 2000).

Additional restrictions were placed in **Addendum 12** to be protective of the air quality in and within 10 kilometers of the Kalispell PM₁₀ nonattainment area. SCREENVIEW air dispersion

modeling was conducted for the proposed operation in order to determine a production limit that would be protective of the nonattainment area. Only one SCREENVIEW model was run to account for the seven proposed winter months operating locations. However, worst case modeling results were used to determine a production limit that would be protective of existing air quality in or within 10 km of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas, regardless of the chosen operating site location. Permit #2623-12 replaced Permit #2623-11 and Addendum 12 replaced Addendum 11.

On August 2, 2000, Schellinger requested renewal of the addendum in Permit #2623-12 to allow the facility to continue operation at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months (October 1 through March 31).

The addendum contained restrictions to protect the air quality in and within 10 kilometers of the Kalispell, Columbia Falls and Whitefish PM₁₀ nonattainment areas. SCREENVIEW air dispersion modeling was conducted for Permit #2623-12 to determine a production limit that would protect the nonattainment areas. One SCREENVIEW model was run to account for the seven winter-month operating locations. However, worst case modeling results were used to determine a production limit that would protect existing air quality in or within 10 km of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas, regardless of the chosen operating site locations. Based on Schellinger's request, the Department determined that the modeling performed for Permit #2623-11 was still valid. The decisions in the permit are based on that modeling. For additional operational flexibility, the Department added language that allowed operations at any location within 10 kilometers of any PM₁₀ nonattainment area during the summer months. This same language was used in Permit #2623-11. Permit #2623-13 replaced Permit #2623-12 and **Addendum 13** replaced Addendum 12.

On May 8, 2002, Schellinger was issued a permit to replace a portable 1976 Pioneer 50 VE duplex gravel crusher with a portable 1997 Nordberg cone crusher, a 1995 EL-Jay cone crusher, a 1985 EL-Jay cone crusher, a 1967 Cedar Rapids jaw crusher, a 1979 Pioneer 3-deck screen, a 1990 diesel generator (1000 KW), and associated equipment. Additionally, Schellinger requested to renew their addendum to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Permit #2623-14 to determine a production limit that would be protective of the nonattainment areas. Worst case modeling results were used to determine a production limit that would be protective of the existing air quality in the winter locations, regardless of the chosen operating site location. Permit #2623-14 replaced Permit #2623-13 and **Addendum 14** replaced Addendum 13.

On August 9, 2002, Schellinger was issued a permit to add a 1995 EL-Jay 3-deck screen and a 1967 Cedarapids 3-deck screen to the list of permitted equipment. Additionally, Schellinger requested to update their addendum, to incorporate their new equipment, and again be allowed to operate at seven different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Permit #2623-15 to determine a production limit that would be protective of the nonattainment areas. Worst-case modeling results were used to determine a production limit that would protect existing air quality in or within 10 km of the PM₁₀ nonattainment areas. The decisions in the updated addendum are based on that modeling. Permit #2623-15 replaced Permit #2623-14 and **Addendum 15** replaced Addendum 14.

III. Current Permit Action

On April 15, 2003, Schellinger submitted a complete permit application to remove the 1967

Cedarapids jaw crusher and associated 3-deck screen from the list of permitted equipment. Additionally, Schellinger's addendum was updated to reflect the permitted equipment. Schellinger will be allowed to operate at eight different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Addendum 16 to Permit #2623-16 to determine a production limit that would be protective of the nonattainment areas. Permit #2623-16 will replace Permit #2623-15 and **Addendum 16** replaced Addendum 15.

IV. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

- A. ARM 17.8.710 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Schellinger demonstrated compliance with all applicable rules and standards as required for permit issuance.
- B. ARM 17.8.733 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase in emissions because of the changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
- C. ARM 17.8.734 Transfer of Permit. An air quality permit may be transferred from one location to another if:
 - 1) Written notice of Intent to Transfer location and public notice is sent to the Department;
 - 2) The source will operate in the new location for a period of less than 1 year; and
 - 3) The source will not have any significant impact on any nonattainment area or any Class I area.

Schellinger must submit proof of compliance with the transfer and public notice requirements when they transfer to the location(s) covered by this Addendum, and will only be allowed to stay in the new location for a period of less than 1 year. Also, implementing the conditions and controls of this Addendum will keep Schellinger from having a significant impact on any PM₁₀ nonattainment area.

V. Emission Inventory

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Source	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1997 Nordberg Cone Crusher (400 TPH)	2.52	1.21				
1995 EL-Jay Cone Crusher (200 TPH)	2.52	1.21				
1985 EL-Jay Cone Crusher (100 TPH)	2.52	1.21				
1979 Pioneer Screen (400 TPH)	15.88	7.56				
1995 El-Jay 3-Deck Screen (200 TPH)	15.88	7.56				
Material Transfer	20.46	9.88				
Pile Forming	16.93	8.06				
Bulk Loading	4.23	2.02				
Diesel Generator (1000 KW)	15.89	15.89	544.92	14.53	124.88	45.86
Haul Roads	15.00	6.75				
Total	111.83	61.35	544.92	14.53	124.88	45.86

- A complete emissions inventory for Permit #2623-16 is on file with the Department.

VI. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀). Due to exceedances of the national standards for PM₁₀, various cities in Montana have been designated by EPA as nonattainment for PM₁₀. As a result of this designation, the EPA required the Department of Environmental Quality and the appropriate county health Department to submit PM₁₀ State Implementation Plans (SIP) in November 1991. The SIPs consist of an emission control plan that controls fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM₁₀ emissions.

This addendum is for a portable crusher plant to locate at locations in or within 10 km of certain PM₁₀ nonattainment areas. The stringent operating conditions in the addendum will minimize any potential impact on the nonattainment area and protect the national ambient air quality standards.

VII. Taking or Damaging Analysis

As required by 2-10-101 through 105, Montana Code Annotated (MCA), the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act (MEPA), was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air and Waste Management Bureau
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Helena, Montana 59620
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FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: Schellinger Construction Company, Inc.
P.O. Box 39
Columbia Falls, Montana 59912

Air Quality Permit Number: 2623-16
Administrative Amendment Issued: May 20, 2003
Permit Final: June 5, 2003

1. Legal Description of Sites: This permit is for the operation of a portable crushing/screening site to be initially located at Section 31, Township 31 North, Range 22 West (Peschel Pit), in Flathead County, Montana. The facility will also be allowed to operate at any of the following locations in or within 10 km of the Kalispell, Whitefish or Columbia Falls PM₁₀ nonattainment areas during the winter months (October 1 through March 31): the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit); the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 29 North, Range 22 West (Tutvedt Pit); the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 29 North, Range 21 West (NUPAC Pit); the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 29 North, Range 21 West (A-1 Paving Mohl Pit); the N $\frac{1}{2}$ of Section 21, Township 30 North, Range 21 West (Carlson Pit); the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 31, Township 31 North, Range 22 West (Peschel Pit); and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9, Township 27 North, Range 21 West (Spoklie Pit); and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 30 North, Range 21 West, in Flathead County (Jellison Pit). The facility also will be able to operate at various locations throughout the state during the summer season (April 1 through September 30), which would include in or within 10 km of the Libby, Kalispell, Columbia Falls, Whitefish, Thompson Falls, and Butte nonattainment areas.
2. Description of Project: The Department proposes to issue Schellinger a permit to remove the 1967 Cedarapids 3-deck screen from the list of permitted equipment and update their addendum for operating a portable 1990 diesel generator (1000 KW), a 1997 Nordberg cone crusher (maximum capacity 400 TPH), a 1995 EL-Jay cone crusher (maximum capacity 200 TPH) with an attached 1995 EL-Jay 3-deck screen (maximum capacity 200 TPH), a 1985 EL-Jay cone crusher (maximum capacity 100 TPH), a 1979 Pioneer 3-deck screen (maximum capacity 400 TPH), and associated equipment in certain PM₁₀ nonattainment areas. Schellinger will be allowed to operate at eight different locations in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM₁₀ nonattainment areas during the winter months and in or within 10 km of certain PM₁₀ nonattainment areas during the summer months. SCREENVIEW air dispersion modeling was conducted for Addendum 16 to Permit #2623-16 to determine a production limit that would be protective of the nonattainment areas.
3. Objectives of the Project: Schellinger requested to remove the 1967 Cedarapids jaw crusher and associated 3-deck screen from the list of permitted equipment and update their addendum accordingly. This crushing/screening facility would be used in conjunction with current sand and gravel operations conducted by Schellinger. The addendum renewal would allow for operation at selected locations in or near PM₁₀ nonattainment areas.

4. *Additional Project Site Information:* In many cases, the crushing/screening operation may move to a general site location or open cut pit, which has been previously permitted through the Industrial and Energy Minerals Bureau (IEMB). If this were the case, a more extensive EA would have been conducted and would be found in the Mined Land Reclamation Permit issued by the IEMB for that specific site.
5. *Alternatives Considered:* In addition to the proposed action, the Department also considered the "no-action" alternative. The "no-action" alternative would deny issuance of the permit and addendum renewal for the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Schellinger demonstrated compliance with all applicable rules and regulations as required for permit issuance. Also, the emissions from the project would not increase as a result of issuing this permit. Therefore, the "no-action" alternative was eliminated from further consideration.
6. *A Listing of Mitigation, Stipulations and Other Controls:* A list of enforceable conditions, including a Best Available Control Technology analysis, would be contained in Permit #2623-16 and in Addendum 16 to the permit. Additionally, more stringent limitations would be placed on Schellinger when operating the permitted equipment in or within 10 km of certain PM₁₀ nonattainment areas.
7. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.
8. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The "no action" alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Terrestrial and Aquatic Life and Habitats			X			yes
B.	Water Quality, Quantity, and Distribution			X			yes
C.	Geology and Soil Quality, Stability, and Moisture			X			yes
D.	Vegetation Cover, Quantity, and Quality			X			yes
E.	Aesthetics			X			yes
F.	Air Quality			X			yes
G.	Unique Endangered, Fragile, or Limited Environmental Resource			X			yes
H.	Demands on Environmental Resource of Water, Air, and Energy			X			yes
I.	Historical and Archaeological Sites			X			yes
J.	Cumulative and Secondary Impacts			X			yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL & BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Terrestrials would use the areas in which the crushing/screening operations occur. Also, aquatic life may be present in water resources adjacent to the proposed project sites, but IEMB establishes buffering zones and resource protection requirements for these sites. However, the

crushing/screening operations are small and temporary, so only minor effects to terrestrial and aquatic life could be expected. Also, restricted hours of operation in the nonattainment areas would further reduce the impacts upon terrestrial and aquatic life. Furthermore, since all of the Schellinger wintertime sites are preexisting pits, additional impacts to the terrestrial and aquatic life and habitats are not expected as a result of the crushing/screening operations.

B. Water Quality, Quantity, and Distribution

Water would be used for dust suppression, but would only cause minor disturbance to the areas since they are existing gravel pits. Also, only relatively small amounts of water would be needed. Therefore, no additional surface water or ground water quality impacts are expected as a result of using water for dust suppression and the open cut mining contract would prevent and regulate such impacts from operations at these sites, including the surrounding water resources.

C. Geology and Soil Quality, Stability, and Moisture

The soils would be impacted by the crushing/screening operations due to the construction and use of the crushing/screening facility. Any associated impacts, including pollutant deposition from equipment operations, would be minor due to the relatively small size and portable/temporary nature of the operations. Additionally, all of the proposed wintertime sites are pre-existing pits and have open-cut mining contracts from the Industrial and Energy Minerals Bureau. Therefore, in mining each of the contracted open-cut sites, the sites would be mined and reclaimed as to protect the soil quality, stability, and moisture.

D. Vegetation Cover, Quantity, and Quality

The quality and quantity of vegetation cover would be affected by pollutant deposition from the crushing/screening operations. Given the relatively small size and temporary nature of the facility, the impacts from pollutant deposition upon vegetative cover, quantity, and quality would be minor. Additionally, following the mining in each of the contracted open-cut sites, the sites would be reclaimed to enhance the vegetation cover, quantity, and quality.

E. Aesthetics

The crushing/screening operations would be visible, would create additional noise in the area, and would emit visible emissions into the air. Permit #2623-16 includes conditions to control emissions (including visible emissions) from the plant. Since the crushing/screening operations are small and temporary, any noise impacts would be minimal. Restrictions have been placed on the crushing/screening operations to protect the air quality at any wintertime location in or within 10 kilometers of certain PM₁₀ nonattainment areas.

F. Air Quality

The air quality impacts from the crushing/screening operations would be minor because Permit #2623-16 and Addendum #16 would include conditions limiting the opacity from the plant, as well as requiring water spray bars to control air pollution. Dust suppression would also be utilized on the surrounding roadways and operational area, to further reduce emissions when the plant is operating. Furthermore, Addendum #16 to Permit #2623-16 would include more stringent limitations for any operations taking place in or within 10 km of certain PM₁₀ nonattainment areas in Montana.

SCREENVIEW air dispersion modeling was conducted, in Permit #2623-16, in order to determine a production limit that would protect existing air quality in the nonattainment areas. Worst-case modeling results were used to determine a production limit that would protect

existing air quality in or within 10 km of the PM₁₀ nonattainment areas. Further, due to the operational restrictions and the temporary and seasonal use of the facility, deposition of pollutants would be minimal. Therefore, associated air quality impacts upon the nonattainment areas would be minor, seasonal, and temporary.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts to any unique endangered, fragile, or limited environmental resources in the proposed area of operations, previously contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the proposed site locations. Search results concluded there were 25 known environmental resources within these areas that could be affected, but no species of special concern are located directly on any of the proposed sites. The defined search area, in this case, is the township and range of the proposed site with an additional one-mile buffer. However, the Department also previously concluded that, at most, only minor effects to any of these resources could be expected from these crushing/screening operations. Further, the facility would be operating at these multiple locations on a seasonal and temporary basis. Therefore, any associated impacts would be further reduced and would be minimal.

H. Demands on Environmental Resource of Water, Air, and Energy

The crushing/screening operations would only demand small quantities of water, air, and energy for proper operation. As described in Section 8B, small quantities of water would be used for dust suppression and pollution control for the facilities operations. As described in Section 8F, impacts upon the air quality would be minor. Therefore, the use of this resource would be minimal. Since the facility would be supplied with power from a diesel generator, the energy demands would be from the use of diesel fuel. Since the facilities generator would be limited in its hours of operation and would not always be running at its full capabilities (especially when running in the nonattainment areas), fuel consumption/energy demands would be minor. Generally, the operations are seasonal, which would result in smaller demands on the environmental resources of water, air, and energy. Thus, any impact would be minor.

I. Historical and Archaeological Sites

The Department previously contacted the Montana Historical Society – State Historic Preservation office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed areas of construction/operation. According to the correspondence from SHPO, there are no previously recorded historical or archeological sites within the designated search locales. Additionally, the crushing/screening operations would locate within previously disturbed industrial sites typically used for portable crushing/screening operations. According to past correspondence from the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any archaeological or historic sites, given the previous industrial disturbance within these open cut pits. Therefore, the chances of these operations affecting any historic or archaeological sites are minor.

J. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because plant operations generate air emissions of particulate matter, PM₁₀, NO_x, VOC, CO, and SO. Air emissions impacts would be minor, due to the relatively small size of the operations and the facilities seasonal and intermittent use. In addition, Addendum 16 to Permit #2623-16 would include more stringent limitations for any operations taking place in or within 10 km of certain PM₁₀ nonattainment areas in Montana

and would further reduce pollutant emissions at the proposed site locations. Further, the crushing/screening operation would be limited by Permit #2623-16 to total emissions of 250 tons per year or less from all non-fugitive emissions sources operated at any given site. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations, as outlined in Permit #2623-16 and Addendum 16. Therefore, the size of the facility, portable and temporary nature of the facility, and corresponding permit operating conditions would result in minimal cumulative and secondary impacts upon the site and surrounding environment.

8. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Social Structures and Mores				X		yes
B.	Cultural Uniqueness and Diversity				X		yes
C.	Local and State Tax Base and Tax Revenue			X			yes
D.	Agricultural or Industrial Production			X			yes
E.	Human Health			X			yes
F.	Access to and Quality of Recreational and Wilderness Activities			X			yes
G.	Quantity and Distribution of Employment				X		yes
H.	Distribution of Population				X		yes
I.	Demands for Government Services			X			yes
J.	Industrial and Commercial Activity			X			yes
K.	Locally Adopted Environmental Plans and Goals			X			yes
L.	Cumulative and Secondary Impacts			X			yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC & SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The crushing/screening operation would cause no disruption to the social structures and mores in the aforementioned areas because the source is small and portable. The facility is a temporary source with limited hours of operation and would be operating seasonally, at multiple locations in multiple nonattainment areas, in areas previously designated and used for such purposes.

B. Cultural Uniqueness and Diversity

The crushing/screening operations would have no adverse impact on the cultural uniqueness and diversity of the areas of operation because the source is small and temporary and would be operating in previously designated areas used for such purposes.

C. Local and State Tax Base and Tax Revenue

Although portable, the crushing/screening operations are steady and employ people in the Kalispell area. However, there is no anticipated need for additional employees as a result of issuing Permit #2623-16. Therefore, The crushing/screening operations would only have minor effects on the local and state tax base and tax revenue because the facility is small and portable.

D. Agricultural or Industrial Production

The crushing/screening operations would take place at previously disturbed industrial areas. Because Schellinger would operate within previously permitted open cut pits, on a temporary basis, no additional agricultural land would be disturbed for the current permit action. Furthermore, upon completion of the operations, the areas would be reclaimed, as specified by the IEMB. The crushing operations are also small by industrial standards and, thus, would have only a minor impact on industrial activity in this or any other areas of operation.

E. Human Health

Permit #2623-16 would incorporate conditions to ensure that the crushing/screening operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. Also, the facility would be operated in multiple locations, on a temporary and seasonal basis. Therefore, any impacts to human health would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

The crusher operations would not affect any access to recreational and wilderness activities. However, minor effects to the quality of recreational activities may be created by additional noise and visible emissions generated from operating the crushing/screening plant. Any impacts from the operations would be temporary, due to the portable nature of the crushing/screening operations and because Permit #2623-16 and Addendum 16 would include limitations that would limit the visible emissions from the plant.

G. Quantity and Distribution of Employment

The activities from the crushing/screening operations would not result in any increased employment or a change in the distribution of employment in these areas. Schellinger would utilize current employees for the crushing/screening operations.

H. Distribution of Population

Given the facilities relatively small size, limited hours of operation, and because it would be operating in existing gravel pits, the activities from the crushing/screening operations would not disrupt the normal population distribution in these areas. Only a few employees would be used to operate the facility, so no effects in population distribution are expected.

I. Demands of Government Services

Minor increases would be seen in traffic on existing roads in these areas while the crushing/screening operations are in progress. In addition, government services would be required for acquiring the appropriate permits from government agencies. Demands for government services would be minor.

J. Industrial and Commercial Activity

The crushing/screening operations would represent only a minor increase in the industrial and commercial activity in the given areas because of the small size of the operations and the portable and temporary nature of the facility. No additional industrial or commercial activity would be expected as a result of the crushing/screening operations.

K. Locally Adopted Environmental Plans and Goals

This permit would be protective of air quality. In addition to Permit #2623-16, Addendum 16 contains more restrictive limits and conditions for operation at certain PM₁₀ nonattainment areas (Libby, Kalispell, Columbia Falls, Whitefish, Thompson Falls, and Butte). The limits and conditions in the permit and addendum would be protective of the ambient air quality standards.

L. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the social and economic environment in the immediate area. Such affects would typically be seasonal, because the source is a portable, temporary source. Minor increases in earth moving and hauling operations would have minor affects on local traffic in the immediate area. Because the source is a relatively small, temporary source only minor economic increases to the local economy would be expected from the operation of the facility. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in Permit #2623-16 and Addendum 16.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: No significant impacts are expected, so an EIS is not required. Permit #2623-16 and Addendum 16 include conditions and limitations, which will be protective of air quality.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality – Permitting and Compliance Division (Industrial and Energy Minerals Bureau), Montana Natural Heritage Program, State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Department of Environmental Quality – Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau), Montana Natural Heritage Program, State Historic Preservation Office (Montana Historical Society).

EA prepared by: Ron Lowney
Date: 05/07/03